

Senate File 2382

H-8468

1 Amend the amendment, H-8273, to Senate File 2382, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, by striking line 3 and inserting:

4 <\_\_. By striking page 1, line 1, through page 10, line 23>

5 2. Page 1, by striking lines 6 and 7 and inserting:

6 <\_\_. By striking page 15, line 18, through page 20, line  
7 4.>

8 3. Page 1, after line 12 by inserting:

9 <\_\_. Page 26, after line 14 by inserting:

10 <DIVISION \_\_\_\_

11 JUROR SERVICE

12 Sec. \_\_\_\_ . Section 607A.5, Code 2018, is amended to read as  
13 follows:

14 **607A.5 Automatic excuse from jury service.**

15 1. A person shall be excused from jury service if the  
16 person submits written documentation verifying, to the court's  
17 satisfaction, that the person is solely responsible for the  
18 daily care of a person with a permanent disability living  
19 in the person's household and that the performance of juror  
20 service would cause substantial risk of injury to the health of  
21 the person with a disability, or that the person is the mother  
22 of a breastfed child and is responsible for the daily care of  
23 the child. However, if the person is regularly employed at a  
24 location other than the person's household, the person shall  
25 not be excused under this section subsection.

26 2. A person shall be excused from jury service if the person  
27 is at least seventy-two years of age and notifies the court  
28 that the person is at least seventy-two years of age and wishes  
29 to be exempted from jury service.

30 DIVISION \_\_\_\_

31 EARNED TIME

32 Sec. \_\_\_\_ . Section 903A.2, subsection 1, paragraph a,  
33 subparagraph (2), Code 2018, is amended to read as follows:

34 (2) However, an inmate required to participate in a sex  
35 offender treatment program shall not be eligible for a any

1 reduction of sentence ~~unless~~ until the inmate participates in  
2 and completes a sex offender treatment program established by  
3 the director.

4 Sec. \_\_\_\_\_. Section 903A.2, subsection 1, paragraph b,  
5 subparagraph (2), Code 2018, is amended to read as follows:

6 (2) An inmate required to participate in a domestic abuse  
7 treatment program shall not be eligible for a any reduction of  
8 sentence ~~unless~~ until the inmate participates in and completes  
9 a domestic abuse treatment program established by the director.

10 Sec. \_\_\_\_\_. Section 903A.3, subsection 1, Code 2018, is  
11 amended to read as follows:

12 1. Upon finding that an inmate has violated an institutional  
13 rule, has failed to complete a sex offender or domestic abuse  
14 treatment program as specified in section 903A.2, or has  
15 had an action or appeal dismissed under [section 610A.2](#), the  
16 independent administrative law judge may order forfeiture of  
17 any or all earned time accrued and not forfeited up to the  
18 date of the violation by the inmate and may order forfeiture  
19 of any or all earned time accrued and not forfeited up to  
20 the date the action or appeal is dismissed, unless the court  
21 entered such an order under [section 610A.3](#). The independent  
22 administrative law judge has discretion within the guidelines  
23 established pursuant to [section 903A.4](#), to determine the amount  
24 of time that should be forfeited based upon the severity of the  
25 violation. Prior violations by the inmate may be considered by  
26 the administrative law judge in the decision.

27 DIVISION \_\_\_\_\_

28 HUMAN TRAFFICKING

29 Sec. \_\_\_\_\_. Section 710A.2, Code 2018, is amended to read as  
30 follows:

31 **710A.2 Human trafficking.**

32 1. A person who knowingly engages in human trafficking is  
33 guilty of a class "D" felony, except that if the victim is  
34 under the age of eighteen, the person is guilty of a class "C"  
35 "B" felony.

1 2. A person who knowingly engages in human trafficking by  
2 causing or threatening to cause serious physical injury to  
3 another person is guilty of a class "C" felony, except that if  
4 the victim is under the age of eighteen, the person is guilty  
5 of a class "B" felony.

6 3. A person who knowingly engages in human trafficking by  
7 physically restraining or threatening to physically restrain  
8 another person is guilty of a class "D" felony, except that if  
9 the victim is under the age of eighteen, the person is guilty  
10 of a class "C" "B" felony.

11 4. A person who knowingly engages in human trafficking by  
12 soliciting services or benefiting from the services of a victim  
13 is guilty of a class "D" felony, except that if the victim is  
14 under the age of eighteen, the person is guilty of a class "C"  
15 "B" felony.

16 5. A person who knowingly engages in human trafficking by  
17 abusing or threatening to abuse the law or legal process is  
18 guilty of a class "D" felony, except that if the victim is  
19 under the age of eighteen, the person is guilty of a class "C"  
20 "B" felony.

21 6. A person who knowingly engages in human trafficking  
22 by knowingly destroying, concealing, removing, confiscating,  
23 or possessing any actual or purported passport or other  
24 immigration document, or any other actual or purported  
25 government identification document of a victim is guilty of a  
26 class "D" felony, except that if that other person is under  
27 the age of eighteen, the person is guilty of a class "C" "B"  
28 felony.

29 7. A person who benefits financially or by receiving  
30 anything of value from knowing participation in human  
31 trafficking is guilty of a class "D" felony, except that if the  
32 victim is under the age of eighteen, the person is guilty of a  
33 class "C" "B" felony.

34 8. A person's ignorance of the age of the victim or a belief  
35 that the victim was older is not a defense to a violation of

1 this section.

2 DIVISION \_\_\_\_

3 EMPLOYEE'S CRIMINAL HISTORY — ADMISSIBILITY

4 Sec. \_\_\_\_ . NEW SECTION. 671A.1 Limitation on admissibility  
5 of evidence of an employee's criminal history.

6 1. Information regarding the criminal history of an  
7 employee or former employee shall not be introduced as evidence  
8 in a civil action against an employer or its employees or  
9 agents that is based on the conduct of the employee or former  
10 employee in any of the following circumstances:

11 a. The nature of the criminal history does not bear a direct  
12 relationship to the facts underlying the cause of action.

13 b. Before the occurrence of the act giving rise to the civil  
14 action, a court ordered the record of any criminal case sealed  
15 or the president of the United States or the chief executive of  
16 a state pardoned the employee or former employee.

17 c. The record is of an arrest or charge that did not result  
18 in a criminal conviction.

19 d. A court granted the employee or former employee a  
20 deferred judgment at sentencing and a court did not revoke the  
21 deferred judgment.

22 2. This section does not alter any statutory provision  
23 allowing an employer to conduct a criminal history background  
24 investigation or consider criminal history records in the  
25 employment process for particular types of employment.

26 3. This section does not create a duty for employers not  
27 otherwise so required by law to conduct criminal history  
28 background checks.

29 \_\_\_\_ . Title page, line 2, after <proceedings> by inserting  
30 <and criminal history admissibility,>>

31 4. By renumbering, redesignating, and correcting internal  
32 references as necessary.

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BALTIMORE of Boone